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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/945,432	09/04/2001	Chung Liu	TS00-523	2709
28112	7590	12/22/2003	EXAMINER	
GEORGE O. SAILE & ASSOCIATES 28 DAVIS AVENUE POUGHKEEPSIE, NY 12603			NGUYEN, HA T	
			ART UNIT	PAPER NUMBER
			2812	

DATE MAILED: 12/22/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)
	09/945,432	LIU ET AL.
	Examiner Ha T. Nguyen	Art Unit 2812

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) Responsive to communication(s) filed on 12 November 2003.

2a) This action is **FINAL**. 2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) Claim(s) 1-3,6-13,16-23 and 26-31 is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) Claim(s) _____ is/are allowed.

6) Claim(s) 1-3,6-13,16-23 and 26-31 is/are rejected.

7) Claim(s) _____ is/are objected to.

8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) The specification is objected to by the Examiner.

10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

13) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
 a) The translation of the foreign language provisional application has been received.

14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

1) Notice of References Cited (PTO-892) 4) Interview Summary (PTO-413) Paper No(s). _____.
 2) Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) Notice of Informal Patent Application (PTO-152)
 3) Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____. 6) Other: _____

DETAILED ACTION

Notice to applicant

1. Applicants' Amendment and Responses to the Office Action mailed 3-31-3 and 10-9-3 have been entered and made of record.

Response to Amendment

2. In view of Applicants' arguments and the amendment to the claims, the rejections of claims 1-3, 6-13, 17-23, and 26-31 under 35 U.S.C. 112 second paragraph, as being indefinite, has been withdrawn.

Applicants' arguments with regard to the rejections under 35 U.S.C. 103 have been fully considered, but they are not deemed to be persuasive for at least the following reasons.

Applicants argued that Kida et al. (U.S. Patent 6313540, hereinafter "Kida") does not make any statements concerning crack propagation or void formation. The examiner disagreed, Kida's invention is to restrict occurrence of breakage and / or crack of the insulating film (see abstract), even though no statement about crack propagation is made, it is inherent at least in the examples shown in Figs. 7a and 7g. In the case of Fig. 7a when the trenches 21a are elongated, they will form cells and crack propagation is restricted, in Fig. 7g, clearly crack propagation is restricted, even when the crack propagation is restricted in one direction the claimed limitation is met since the claims do not require the restriction of crack propagation in all directions.

Note that applicants only argued against Kida, nothing about Huang or Saran.

Therefore the teaching of Kida or combination of Kida with Huang and/ or Saran does make obvious the limitations of claims 1-3, 6-13, 16-23, and 26-31.

Applicants are referred to the modified ground of rejection given below.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person

having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1, 2, 6-12, and 16-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kida.

[Claim 1] Referring to Figs. 5, 6a-6j, 7a, 9, Kida discloses a method of forming a bonding pad that is immune to IMD cracking, comprising: providing a partially processed semiconductor wafer 11 having all metal levels completed (see Figs. 5 and 9); forming a blanket dielectric layer 15 over the uppermost metal level; patterning and etching said dielectric layer to form horizontal and vertical arrays of trenches 21 passing through said dielectric layer such that none of said horizontal trenches completely intersects any of said vertical trenches and separating said dielectric layer into cells (see Figs 7g) such that cracks will not propagate much beyond a cell before being stopped by a trench in order to limit the propagation of any cracks that may form (see abstract), the examiner interprets that each blank rectangles showed corresponds to a cell and a crack formed in a cell would be restricted to the cell by the trenches around the cell ; filling said trenches with a conducting material 23; planarizing the dielectric layer and said filled trenches to obtain a top surface (see Fig. 6f) ; depositing bonding metal patterns 24 over said top surface; bonding wires 18 onto said bonding metal patterns; forming a passivation layer 17 over said top surface and said bonding layer patterns. But it does not disclose expressly performing CMP to planarize. However, the examiner takes Official Notice that CMP is a well known method of planarization used to obtain global planarization.

[Claim 11] Referring to Figs. 5, 6a-6j, 7a, 9, Kida discloses a method of forming a bonding pad that is immune to IMD cracking, comprising: providing a partially processed semiconductor wafer 11 having all metal levels completed (see Figs. 5 and 9); forming a blanket dielectric layer 15 over the uppermost metal level; patterning and etching said dielectric layer to form horizontal and vertical arrays of trenches 21 passing through said dielectric layer and separating said dielectric layer into cells (see Figs 7a); filling said trenches with a conducting material 23; planarizing the dielectric layer and said filled trenches to obtain a top surface (see Fig. 6f) ; depositing bonding metal patterns 24 over said top surface; bonding wires 18 onto said bonding metal patterns; forming a passivation layer 17 over said top surface and said

bonding layer patterns. But it does not disclose expressly performing CMP to planarize and that the horizontal and vertical arrays of trenches passing through said dielectric layer according to a nonintersecting layout. However, Kida also disclose that the shape of the openings 21 does not have to be square, but can have other shape (see col. 5, lines 13-42), when the openings in Fig. 7a have more elongated shape, the non-intersecting is clearly shown. Besides, the examiner takes Official Notice that CMP is a well known method of planarization used to obtain global planarization.

[Claims 2 and 12] Kida also discloses wherein said dielectric layer is composed of materials from the set: silicon oxide, silicon nitride, silicon oxynitride (See col. 4, lines 1-5);

[Claims 6-8 and 16-18] wherein the filling of said trenches with a conducting material is accomplished using a plug process; wherein the filling of said trenches with a conducting material is accomplished using a W plug process; wherein the filling of said trenches with a conducting material is accomplished using a plug process from the set: Al plug, Cu plug, silicide plug (See col. 4, lines 6-14);

[Claims 9 and 19] wherein the width of said trenches is 0.6 micrometers (See col. 6, lines 7-11), the contact area of the pad and the via hole gives the dimension of the width of the via hole because the whole cross section of the via hole contact the pad (see Fig. 5). But it does not disclose the exact range for the width of the trenches. However any variation in width in the present claims is obvious in light of the cited art, because the changes in width produce no unexpected function. The routine varying of parameters to produce expected changes are within the ability of one of ordinary skill in the art. Patentability over the prior art will only occur if the parameter variation produces an unexpected result. In re Aller, Lacey and Hall, 105 U.S.P.Q. 233, 235. In re Reese 129 U.S.P.Q. 402, 406.

[Claim 10] Kida also discloses wherein the separation between neighboring horizontal trenches and neighboring vertical trenches is between 0.2 and 20 micrometers (See Fig. 5 and col. 6, lines 7-11) the Fig. shows that the separation between neighboring trenches is less than twice the width of the via hole, therefore, it is between 0.6 and 1.2 micrometers, a range within the claimed 0.2 and 20 micrometers range.

Therefore, it would have been obvious to use Kida teaching to obtain the invention as specified in claims 1, 2, 6-12, and 16-19.

5. Claims 1, 2, 6-9, 11, 12, 16-19, 20-22, and 26-31 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kida, as applied to claims 1, 2 and 6-10 above, in view of Huang et al., U.S. Patent 6236114 (Hereinafter Huang).

[Claims 1, 11 and 21] Kida discloses substantially the limitations of claims 1, 11 and 21, as shown above.

But it does not disclose expressly that the horizontal and vertical arrays of trenches passing through said dielectric layer according to a brick laying layout or a modified brick laying layout. Some may argue that the feature “a nonintersecting layout” of claim 11 is not taught or made obvious by Kida.

However, the missing limitations are well known in the art because Huang discloses these features (See Figs. 1, 2 , # 135a,b, 155a,b, 175a,b).

A person of ordinary skill is motivated to modify Kida with Huang to obtain improved adhesion between dielectric and metal layers and to more uniformly release the compressive mechanical stress (see Huang, abstract).

[Claims 2, 6-9, 12, 16-19, 22, and 26-29] The arguments used for the rejection of claims 2 and 6-9 above also apply.

[Claim 20] Kida also discloses wherein the separation between neighboring horizontal trenches and neighboring vertical trenches is between 0.1 and 10 micrometers, as shown in the rejection of claim 10. But it does not disclose expressly that the ratio between the spacing of perpendicular trenches to the spacing of parallel trenches is less than about 1/5, and the spacing of perpendicular trenches is greater than about 0.1 micrometers. However, the missing limitation is well known in the art because Huang discloses this feature (see Fig. 2).

[Claims 30 and 31] The argument for the rejection of claim 10 also applies. Besides Huang also shows that the overlap area in said modified bricklaying layout is between 0.1 and 1 of the overlap area of said bricklaying layout (see Fig. 2).

Therefore, it would have been obvious to combine Kida with Huang to obtain the invention as specified in claims 1, 2, 6-9, 11, 12, 16-19, 21, 22, and 26-31.

6. Claims 3 and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kida, as applied to claims 1, 2, 6-11, 12, and 16-19 above, (or Kida in view of Huang and further) in view of Saran, U.S. Patent 6232662.

Kida (or Kida in view of Huang)discloses substantially the limitations of claims 3 and 13, as shown above.

But it does not disclose expressly that the dielectric layer is a composite of dielectric layers and the methods of forming the dielectric layers.

However, the missing limitations are well known in the art because Saran discloses these features (See col. 6, line 38- col. 7, line 4). The combined teaching of Kida (or Kida , Huang) and Saran does not disclose the use of HDP oxide. However it would have been obvious for a person of ordinary skill in the art to use HDP to obtain good quality and dense oxide.

A person of ordinary skill is motivated to modify Kida (or Kida , Huang) with Saran to obtain dielectric with low dielectric constant or material with characteristics suitable for a specific application requirements concerning manufacturing cost, product quality and equipments.

Therefore, it would have been obvious to combine Kida (or Kida , Huang) with Saran to obtain the invention as specified in claims 3 and 13.

Conclusion

7. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for response to this final action is set to expire THREE MONTHS from the date of this action. In the event a first response is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event will the statutory period for response expire later than SIX MONTHS from the date of this final action.

Art Unit: 2812

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ha Nguyen whose telephone number is (703) 308-2706 , after Feb. 3, 2004, the new phone number will be (703) 272-1678. The examiner can normally be reached on Monday-Friday from 8:30AM to 6:00PM, except the first Friday of each bi-week. The telephone number for Wednesday is (703) 560-0528.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Neibling, can be reached on (703) 308-3325, after Feb. 3, 2004, the new phone number will be (703) 272-1679. The fax phone number for this Group is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 308-0956.


Ha Nguyen
Primary Examiner
12-17-03